IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1654 of 2007()

CRIME NO. 146 OF 2007 OF KOTTAYAM WEST POLICE STATION

PETITIONERS/ACCUSED NOS.1 & 2 (IN CUSTODY)

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1. BIJEESH, S/O.JAMES, MANALEL HOUSE,
KARUKACHAL KARA, KOOTHRAPPALLY VILLAGE,
KOTTAYAM.

2. BIJO, S/O.JAMES,
MANLEL HOUSE, KARUKACHAL KARA,
KOOTHRAPPALLY VILLAGE, KOTTAYAM.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS: COMPLAINANT

SUB-INSPECTOR OF POLICE,
KOTTAYAM WEST POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 1654 of 2007

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DATED: 20-03-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who are accused Nos. 1 and 2 in Crime No. 146 of 2007 before the Kottayam West Police Station for an offence punishable under Sec. 55 (a) of the Abkari Act for having been found in possession of 22.625 liters of IMFL in 59 bottles , seek their enlargement on bail. Petitioners were arrested on 28-02-2007.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners only from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 28-3-2007 on each of them executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-III, Kottayam, and subject to the

following conditions:

1. The Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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